

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:) Chapter 11
)
FORESIGHT ENERGY LP, *et al.*,) Case No. 20-41308-659
)
) (Joint Administration Requested)

**PROPOSED FIRST DAY AGENDA FOR HEARING
ON MARCH 11, 2020 AT 10:00 A.M. (PREVAILING CENTRAL TIME)**

In support of the following relief requested at the first day hearing, the Debtors refer the Court to the Declaration of Robert D. Moore in Support of Chapter 11 Petitions [**Docket No. 17**] and the Declaration of Alan Boyko in Support of Chapter 11 Petitions [**Docket No. 18**].

A. INTRODUCTORY PRESENTATION

B. ADMINISTRATIVE MOTIONS

1. **“Expedited First Day Hearing”** – Debtors’ Motion for Entry of an Order (A) Scheduling Expedited Hearings on Certain First Day Motions and Applications, (B) Approving the Form and Manner of Notice Thereof, and (C) Granting Related Relief. [**Docket No. 35**]

Status: This matter is going forward.

2. **“Exceed Page Limitations”** – Debtors’ Motion for Leave to Exceed Page Limitations in Their First Day Motions [**Docket No. 34**]

Status: This matter is going forward.

3. **“Joint Administration”** – Debtors’ Motion for Entry of an Order Authorizing Joint Administration of Chapter 11 Cases [**Docket No. 3**]

Status: This matter is going forward.

C. OPERATIONAL MOTIONS

4. **“Cash Collateral & DIP Financing Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Post-Petition Financing, (B) Grant Senior Secured Priming Liens and Superpriority Administrative Expense Claims, and (C) Utilize Cash Collateral; and (II) Granting Adequate Protection to the Prepetition Secured Parties; (III) Modifying the Automatic Stay; (IV) Scheduling Final Hearing; and (V) Granting Related Relief [**Docket No. 29**]

Related Documents: Declaration of Seth Herman in Support of the Cash Collateral & DIP Financing Motion

Status: This matter is going forward.

5. **“Cash Management Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing Continued Use of the Debtors’ Existing Cash Management System; (B) Authorizing Use of Existing Bank Accounts and Business Forms; (C) Granting a Limited Waiver of Requirements of Section 345(b) of the Bankruptcy Code; (D) Authorizing Continuation of Ordinary Course Intercompany Transactions; (E) Granting Administrative Expense Priority Status to Postpetition Intercompany Claims; and (F) Granting Related Relief [**Docket No. 4**]

Status: This matter is going forward.

6. **“Vendors Motion”** – Motion for Entry of Interim and Final Orders (A) Authorizing Debtors to Pay Prepetition Claims of Trade and Lien Claimants and Authorizing Payment Procedures Related Thereto, (B) Authorizing Debtors to Pay Royalty and Leasehold Claims, (C) Granting Administrative Expense Priority to Outstanding Orders, and (D) Granting Related Relief [**Docket No. 5**]

Status: This matter is going forward.

7. **“Wages and Benefits Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing Debtors to Pay Prepetition Wages and Workforce Obligations, (B) Authorizing Debtors to Maintain Workforce Programs and Pay Related Obligations, and (C) Granting Related Relief [**Docket No. 6**]

Status: This matter is going forward.

8. **“Coal Sale Contracts Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to (I) Perform Under Existing Coal Sale Contracts in the Ordinary Course of Business and (II) Enter Into and Perform Under New Coal Sale Contracts in the Ordinary Course of Business and (B) Granting Related Relief [**Docket No. 8**]

Status: This matter is going forward.

9. **“Customer Programs Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Maintain Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (B) Granting Related Relief [**Docket No. 7**]

Status: This matter is going forward.

10. **“Surety Bond Motion”** – Debtors’ Motion for Entry of Interim and Final Orders
(A) Authorizing Debtors to Continue and Renew Surety Bond Program and
(B) Granting Related Relief [**Docket No. 9**]

Status: This matter is going forward.

11. **“Insurance Motion”** – Debtors’ Motion for Entry of Interim and Final Orders
(A) Authorizing the Debtors to (I Maintain, Continue, and Renew Their Existing
Insurance Program and (II) Honor Certain Prepetition Obligations in Respect
Thereof and (B) Granting Related Relief [**Docket No. 11**]

Status: This matter is going forward.

12. **“Taxes Motion”** – Debtors’ Motion for Entry of Interim and Final
Orders (A) Authorizing Payment of Prepetition Taxes and Fees
and (B) Granting Related Relief [**Docket No. 12**]

Status: This matter is going forward.

13. **“Utilities Motion”** – Debtors’ Motion for Entry of Interim and Final Orders
Determining Adequate Assurance of Payment for Future Utility Services [**Docket
No. 13**]

Status: This matter is going forward.

14. **“Interim Compensation Procedures Motion”** – Debtors’ Motion for Entry of an
Order (A) Establishing Procedures for Interim Compensation and Reimbursement
of Expenses of Retained Professionals and (B) Granting Related Relief [**Docket
No. 14**]

Status: This matter is going forward

15. **“Extend Schedules Deadline”** – Debtors’ Motion for Entry of an Order
(A) Extending the Time to File Schedules and Statements; (B) Extending the
Time to Schedule the Meeting of Creditors; (C) Partially Waiving the
Requirements to (I) File Equity Lists and (II) Provide Notice to Equity Security
Holders; (D) Authorizing the Debtors to File a Consolidated List of the Debtors’
30 Largest Unsecured Creditors; (E) Authorizing the Debtors to File a
Consolidated and Redacted List of Creditors in Lieu of Submitting Separate and
Reformatted Creditor Matrices for Each Debtor; (F) Approving the Form and
Manner of Notifying Creditors of Commencement of These Chapter 11 Cases;
and (G) Granting Related Relief [**Docket No. 10**]

Status: This matter is going forward

16. **“Ordinary Course Professionals Motion”** – Debtors’ Motion for Entry of an
Order Authorizing the Retention and Compensation of Certain Professionals
Utilized in the Ordinary Course of Business [**Docket No. 15**]

Status: This matter is going forward.

17. “**Case Management Motion**” – Debtors’ Motion for Entry of an Order (A) Establishing Certain Notice, Case Management, and Administrative Procedures and (B) Granting Related Relief [**Docket No. 16**]

Status: This matter is going forward.

D. Professional Retention Applications

18. “**Prime Clerk Retention Application**” – Debtors’ Motion for Entry of an Order Authorizing the Retention and Employment of Prime Clerk LLC as Claims and Noticing Agent for the Debtors and Debtors in Possession *Nunc Pro Tunc* to the Petition Date [**Docket No. 20**]

Status: This matter is going forward.

19. “**Armstrong Teasdale Retention Application**” – Debtors’ Application Pursuant to Section 327(A) and 329(A) of the Bankruptcy Code, Bankruptcy Rules 2014(A) and 2016(B), and Local Bankruptcy Rules 2014(A) and 2016-1, for an Order Authorizing the Debtors to Retain and Employ Armstrong Teasdale LLP as Co-Counsel *Nunc Pro Tunc* to the Petition Date [**Docket No. 19**]

Status: This matter is going forward.

20. “**Paul, Weiss Retention Application**” – Debtors’ Application for Entry of an Order Authorizing the Retention and Employment of Paul, Weiss, Rifkind, Wharton & Garrison LLP as Attorneys for the Debtors and Debtors in Possession *Nunc Pro Tunc* to the Petition Date [**Docket No. 33**]

Status: This matter is going forward.

21. “**Jefferies Retention Application**” – Debtors’ Application for Authority to Employ and Retain Jefferies LLC as Investment Banker for the Debtors *Nunc Pro Tunc* to the Petition Date [**Docket No. 32**]

Status: This matter is going forward.

22. “**FTI Consulting Retention Application**” – Debtors’ Application for Authority to Employ and Retain FTI Consulting, Inc. as Restructuring Financial Advisor to the Debtors *Nunc Pro Tunc* to the Petition Date [**Docket No. 31**]

Status: This matter is going forward.

Dated: March 11, 2020
St. Louis, Missouri

ARMSTRONG TEASDALE LLP

/s/ Richard W. Engel, Jr.

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